

## **REMARKS**

Prior to this Reply, Claims 1-41 were pending. Through this Reply, Claims 1, 28 and 35 have been amended, while Claims 42-56 have been added. No claims have been cancelled. Accordingly, Claims 1-56 are now at issue in the present case.

### **I. Amendments to the Specification**

The specification has been amended to correct an obvious grammatical error. No new matter has been added.

### **II. Allowable Subject Matter**

The Examiner objected to Claim 25 as being dependent upon a rejected base claim. However, the Examiner indicated that Claim 25 would be allowable if it was rewritten in independent form to include the limitations of its base claim and any intervening claims.

In response, Applicants have added new Claim 42, which includes the limitations of Claims 1, 24 and 25. Accordingly, Applicants believe that Claim 42 is in condition for allowance.

### **III. Interview Summary**

On February 15, 2005 at 11:00 a.m. Pacific Standard Time, the undersigned conducted a telephone interview with Examiner Kin C. Wong. No exhibits were shown. No demonstration was conducted.

The undersigned discussed Claims 1, 5, 14, 18, 19, 28, 35, 36 and 41 with the Examiner. Such claims were discussed in light of U.S. Patent No. 5,781,363 to Rowan et al. (hereinafter “Rowan”).

Specifically, the undersigned discussed the Response to Arguments Section of the Office Action, which begins on page 5 thereof. Furthermore, the undersigned requested the Examiner to explain where the limitations of the above-identified claims were disclosed or taught in Rowan. The undersigned also reiterated Applicants’ position, as set forth in the Reply to Office Action of February 12, 2003, that the limitations of the above-identified claims are not shown in Rowan.

Without specifically referring to any particular language in Rowan, the Examiner indicated his belief that the limitations of Claim 35 may be satisfied based upon a “cycle” of a disk drive (i.e., loading, seeking and track following). The Examiner also noted that the first and second periods of time in Claim 35 are not limited to pulse widths. The Examiner indicated that limitations defining the first and second periods of times as pulse widths might place the claims in condition for allowance. However, the Examiner noted that such amendments might require a further search to be performed.

Furthermore, the Examiner discussed Applicants argument that Claim 35 requires a voice coil motor to be “provided a first amount of electrical power over a first period of time to move said actuator arm” and to be “provided a second amount of electrical power over a second period of time to move said actuator arm” (emphasis added). More specifically, the Examiner indicated that providing a first amount of electrical power over a first period of time to move an actuator arm is different from actually moving the actuator arm. Although the undersigned did not fully

appreciate the Examiner's position, the undersigned suggested that a limitation directed to actually moving the actuator arm might be included for clarification.

No specific agreements were reached regarding the claims. The undersigned advised the Examiner that Applicants would file an RCE, along with a Reply to the Office Action of August 26, 2004.

#### **IV. Claim Amendments**

In order to clarify that Claims 1, 28 and 35 relate to load and/or unload operations, Applicants have amended such claims. Specifically, Claim 1 has been amended to clarify that the method for controlling the velocity of a disk drive transducer head is performed "during a load or unload operation" (emphasis added).

In view of the amendment to Claim 1, Applicants believe that Claim 1 now successfully addresses the Examiner's concern regarding a "cycle" of a disk drive. Therefore, Applicants believe that Claim 1 and the claims that depend therefrom are patentably distinguishable from Rowan.

Somewhat similar amendments have been made to Claims 28 and 35. Therefore, for at least the above reasons, Applicants believe that Claims 28 and 35 (and the claims that respectively depend therefrom) are patentably distinguishable from Rowan.

Applicants also note that Claim 28 has been broadened by replacing the word "and" with the word "or" in the preamble of such claim.

After clarifying to Claims 1, 28 and 35, Applicants stand by the arguments made in the Reply to Office Action of February 12, 2003.

**V. New Claims**

Applicants have added new Claims 42-56. Some of such new claims have been added to specifically address issues raised by the Examiner during the Examiner Interview of February 15, 2005.

**VI. Additional Claim Fees**

In determining whether additional claim fees are due, reference is made to the Fee Calculation Table (below).

<b>Fee Calculation Table</b>						
	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate	Additional Fee
Total (37 CFR 1.16(c))	56	Minus	41	= 15	x \$50 =	\$ 750.00
Independent (37 CFR 1.16(b))	4	Minus	3	= 1	X \$200 =	\$ 200.00

As set forth in the Fee Calculation Table (above), Applicants previously paid claim fees for forty-one (41) total claims and for three (3) independent claims. Therefore, Applicants hereby authorize the Commissioner to charge the credit card identified on the enclosed Form PTO-2038 in the amount of \$950.00 for the presentation of fifteen (15) total claims over forty-one (41) and for the presentation of one (1) independent claim over three (3). Although Applicants believe that no other fees are due, the Commissioner is hereby authorized to charge Deposit Account No. 50-2198 for any fee deficiencies associated with filing this paper.

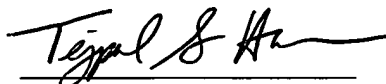
**VII. Conclusion**

It is believed the above comments establish patentability. Applicants do not necessarily accede to the assertions and statements in the Office Action, whether or not expressly addressed.

Applicants believe that the application appears to be in form for allowance. Accordingly, reconsideration and allowance thereof is respectfully requested.

The Examiner is invited to contact the undersigned at the below-listed telephone number regarding any matters relating to the present application.

Respectfully submitted,



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Date: FEB. 28, 2005